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OCT 26 2004

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FAX COVER SHEET

TO:

Examiner Ahmad Nasser
Art Unit 1772
RE: 09/540,941

FROM:

Peter Loffler

DATE:

10/26/2004

FAX NUMBER:

(703) 872-9310

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

APPLICANT : Allen J. Klein) ART UNIT: 1772
SERIAL NO.: 09/540,941) EXAMINER: Ahmad Nasser
FILED : 03/31/2000)

THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, DC 20231

NOTICE OF WITHDRAWAL/REQUEST FOR APPROVAL

Peter Loffler, undersigned attorney of record in the above-styled application requests permission to withdrawal as attorney of record and in support thereof says that:

1. Applicant has failed to pay for legal services that have been rendered and has failed to reimburse undersigned for costs advanced by undersigned on Applicant's behalf.

2. An appeal is currently pending before the Board of Patent Appeals and Interference. Applicant has filed his initial brief and there are no outstanding actions currently due from Applicant. Coincident with this Notice, undersigned is providing Applicant with instructions for responding to the Office Action with any necessary documents in undersigned's file having been already provided to Applicant.

WHEREFORE undersigned respectfully requests approval to withdraw from this case.

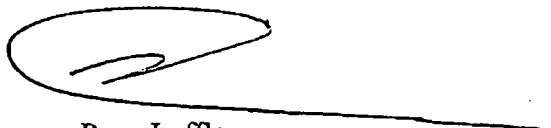
Respectfully submitted,



Peter Loffler
Registration no. 35,751
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CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY that the foregoing was faxed to the Commissioner of Patents and Trademarks, Art Unit 1772, fax number (703) 872-9310, this 26th day of October, 2004.



Peter Loffler

cc: Applicant Allen J. Klein
3700 9th Avenue North
Apartment D37
St. Petersburg, FL 33713

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